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SCHIFF HARDIN & WAITE

PATENT DEPARTMENT

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CHICAGO, ILLINOIS 60606

CONFIRMATION NO. 5877

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TECHNOLOGY CENTER 2800

In re application of: Acklin et al.

SERIAL NO.: 09/662,209

GROUP ART UNIT: 2862

FILED: September 14, 2000

EXAMINER: Cecil B. Harmon

TITLE: "ILLUMINATION UNIT FOR AN APPARATUS FOR USE IN THE FIELD OF MEDICINE"
AMENDMENT "B"

Assistant Commissioner for Patents
Washington D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	* 22	MINUS	** 22	X	() X 9.00 () X 18.00	
INDEP. CLAIMS	* 1	MINUS	1	X	() X 42.00 () X 84.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$135.00 () \$270.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated **January 30, 2002** for 1 months so that the period for response is extended to **May 30, 2002**. A check in the amount of \$ **110.00** is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

- ☐ A check in the amount of \$ _____ is attached.
 - ☐ A check for \$ _____ accompanying IDS under 37 CFR 1.97(c) is attached
 - ☐ A check for \$ _____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
 - ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5790.

SCHIFF HARDIN & WAITE (Customer Number: 26574)

Patent Department

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 23, 2002.

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

SIGNATURE

May 23, 2002

DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS' RESPONSE TO THE JANUARY 30, 2002 OFFICE ACTION

APPLICANT(S): BRUNO ACKLIN et al GROUP ART UNIT: 2828
SERIAL NO.: 09/662,209 EXAMINER: Cecil B. Harmon
FILED: September 14, 2000 CONFIRMATION NO. 5877
TITLE: "ILLUMINATION UNIT FOR AN APPARATUS FOR USE IN
THE FIELD OF MEDICINE"

Assistant Commissioner for Patents,

Washington, D.C.

S I R:

Applicants and their counsel have carefully reviewed the Office Action dated January 30, 2002, but believe the claims as originally filed are patentable over the teachings of the reference relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability therefore is respectfully requested.

REMARKS

In the Office Action dated January 30, 2002, claim 1 was rejected under 35 U.S.C. §112, second paragraph as being indefinite because of the use of the term "substantially." This rejection is respectfully traversed for the following reasons. The word "substantially" is commonly used in patent claims, and is commonly accepted by the Patent and Trademark Office. The word is used as a synonym for "approximately," and its inclusion in United States patent claims is standard. In United States Patent No. 5,902,997 (Reference AA in the Information Disclosure Statement filed January 3, 2001), for example, this term is used in line 4 of claim 1. In United States Patent No. 5,875,205 (Reference AB in the Information Disclosure Statement) this term is used in lines 10-11 of claim 1. The fact that it is a synonym

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Response
G. Stanley
6-18-02